BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF ECHOSTAR SATELLITE LLC OWNING THE TRADEMARK DISH NETWORK, ECHOSPHERE, LLC AND DISH NETWORK SERVICE, LLC'S FAILURE TO REGISTER AS TELEMARKETERS AND THE SOLICITATIONS THEY MADE TO THOSE REGISTERED ON THE DO NOT CALL LIST	)	**ORDER GRANTING JOINT MOTION OF COMMISSION STAFF AND ECHOSTAR SATELLITE LLC REQUESTING A DELAY** **TC06-191**

On November 15, 2006, the Commission Staff (Staff) filed a Motion for Order to Show Cause (Motion) against Dish Network alleging that Dish Network had failed to register as a telemarketer in South Dakota and had engaged in telephone solicitations in violation of the state's Do Not Call statutes and rules, SDCL 49-31-99 through 49-31-108 and ARSD Chapter 20:10:35. On November 28, 2006, the Commission first heard Staff's Motion. The Commission deferred action, due to uncertainty regarding the correct Dish Network corporate name. The Commission again heard Staff's request for an Order to Show Cause on December 6, 2006. Dish Network's correct corporate name was determined and an Order to Show Cause was granted unanimously by the Commission. An Order for and Notice of Show Cause Hearing was issued on January 9, 2007. An Amended Order for and Notice of Show Cause Hearing was issued on March 1, 2007. An Order Setting Procedural Schedule was issued on April 5, 2007. On April 13, 2007, the Commission received a Motion for Continuance of Discovery and to Add Additional Parties from Staff. On April 23, 2007, the Commission received an Affidavit of Robert Munger from EchoStar Satellite LLC.

At its April 24, 2007, meeting, the Commission considered the Motion for Continuance of Discovery and to Add Additional Parties. Staff modified its original request for inclusion of additional parties at the April 24, 2007, meeting. Staff requested the inclusion of Echosphere, LLC and Dish Network Service, LLC and dropped all other named companies included in its original Motion. The Commission voted unanimously to grant the Motion for Continuance of Discovery and to Add Additional Parties, as amended. On July 24, 2007, the Commission received a Joint Motion for Delay. At its August 7, 2007, meeting, the Commission voted unanimously to grant the Joint Motion for Delay. On August 30, 2007, the Commission received a Joint Motion of Commission Staff and EchoStar Satellite LLC requesting a delay.

At its September 11, 2007, meeting, the Commission considered the Joint Motion of Commission Staff and EchoStar Satellite LLC requesting a delay. The Commission voted unanimously to grant the Joint Motion of Commission Staff and EchoStar Satellite LLC requesting a delay.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapter 1-26, specifically, 1-26-18, SDCL 15-6-12(b) and 15-6-56, SDCL Chapter 49-31, specifically 49-31-7.1, 49-31-99 through 49-31-108, and ARSD Chapters 20:10:01 and 20:10:35. It is therefore

ORDERED, that the Joint Motion of Commission Staff and EchoStar Satellite LLC requesting a delay is hereby granted.

Dated at Pierre, South Dakota, this 26th day of September, 2007.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, electronically.

By: Delaine Kolbo

Date: 9/27/07

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

DUSTIN M. JOHNSON, Chairman

GARY HANSON, Commissioner

STEVE KOLBECK, Commissioner